

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

C.A. NO. 05-11323MLW

CRYSTAL A. ATHERTON and ROBERT W.
ATHERTON,
Plaintiffs

v.

CITY OF BEVERLY, WILLIAM F.
SCANLON, in his official and individual
capacity, and JOHN DUNN, in his official and
individual capacity,
Defendants

JOINT STATUS REPORT AND
MOTION TO POSTPONE STATUS
CONFERENCE

Now come the parties in the above-captioned action and hereby request this Honorable Court to postpone the status conference currently set to occur in September 18, 2007 at 3:00 PM for the reasons explained more fully below:

1. The Plaintiff has completed several depositions of the Defendants and may require some additional documents in order to be prepared for trial. The deposition of the Plaintiff is scheduled for September 24, 2007 as are responses to Defendant's written discovery requests.
2. The parties are working cooperatively and in a friendly atmosphere to be ready to discuss this matter more intelligently with the Court and would appreciate an approximate 30 day continuance of the status conference so that all deposition transcripts will be available and all written discovery will be completed, prior to meeting with the Court.
3. Although the discovery period does not expire until November 30, 2007, the parties hope and may be able to complete discovery sooner than November 30, 2007.

WHEREFORE, the parties jointly request that the status conference be postponed until on or after October 22, 2007 to allow the parties a sufficient opportunity to complete enough discovery to be able to evaluate whether or not settlement is feasible and to intelligently discuss/evaluate the positions of the parties at a conference with the Court.

DEFENDANTS,

By their attorneys,

/s/ Elizabeth R. Corbo

David C. Jenkins (BBO# 251000)

Elizabeth R. Corbo (BBO# 640131)

Kopelman and Paige, P.C.

101 Arch Street

12th Floor

Boston, MA 02110-1109

(617) 556-0007

PLAINTIFFS,

By their attorney,

/s/ Jordan L. Shapiro

Jordan L. Shapiro (BBO#454240)

Shapiro & Hender

640 Main Street

Malden, MA 02148

(781) 324-5200

DATED: September 12, 2007